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SENATE BILL 1

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SPECIAL SESSION, 2010

INTRODUCED BY

Carlos R. Cisneros

AN ACT

AUTHORIZING THE ISSUANCE AND SALE OF CAPITAL PROJECTS GENERAL OBLIGATION BONDS TO MAKE CAPITAL EXPENDITURES FOR SENIOR CITIZEN FACILITY IMPROVEMENTS AND ACQUISITIONS, FOR LIBRARY ACQUISITIONS, FOR PUBLIC SCHOOL CAPITAL IMPROVEMENTS AND FOR CAPITAL IMPROVEMENTS AND ACQUISITIONS AT INSTITUTIONS OF HIGHER EDUCATION AND STATE SPECIAL SCHOOLS; PROVIDING FOR A TAX LEVY FOR PAYMENT OF PRINCIPAL OF, INTEREST ON AND CERTAIN COSTS RELATED TO THE BONDS; REQUIRING APPROVAL OF THE REGISTERED VOTERS AT THE 2010 GENERAL ELECTION OF THE STATE; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SHORT TITLE.--This act may be cited as the "2010 Capital Projects General Obligation Bond Act".

Section 2. PURPOSE.--For the purpose of providing funds

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1 for capital expenditures as authorized in the 2010 Capital
2 Projects General Obligation Bond Act, general obligation
3 indebtedness of the state is authorized for the purposes and in
4 the amounts set forth in Section 10 of that act.

5 Section 3. BOND TERMS.--

6 A. The state board of finance, except as limited by
7 the 2010 Capital Projects General Obligation Bond Act, shall
8 determine the terms, covenants and conditions of bonds issued
9 pursuant to that act, including but not limited to:

10 (1) date or dates of issue, denominations and
11 maturities;

12 (2) principal amounts;

13 (3) rate or rates of interest; and

14 (4) provisions for redemption, including
15 premiums, registration and refundability, whether the bonds are
16 issued in one or more series and other covenants relating to
17 the bonds and the issuance thereof.

18 B. The bonds shall be in such form as the state
19 board of finance determines with an appropriate series
20 designation and shall bear interest payable as set forth in the
21 resolution of the state board of finance.

22 C. Payment of the principal of the bonds shall
23 begin not more than two years after the date of their issuance,
24 and the bonds shall mature not later than ten years after the
25 date of their issuance. Both principal and interest shall be

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1 payable in lawful money of the United States at the office of
2 the paying agent within or without the state as the state board
3 of finance may direct.

4 D. The bonds shall be executed with the manual or
5 facsimile signature of the governor or the state treasurer, and
6 the seal or a facsimile of the seal of the state shall be
7 placed on each bond, except for any series of bonds issued in
8 book entry or similar form without the delivery of physical
9 securities.

10 E. The bonds shall be issued in accordance with the
11 provisions of the 2010 Capital Projects General Obligation Bond
12 Act, the Supplemental Public Securities Act and the Uniform
13 Facsimile Signature of Public Officials Act and may be issued
14 in accordance with the Public Securities Short-Term Interest
15 Rate Act.

16 F. The full faith and credit of the state is
17 pledged for the prompt payment when due of the principal of and
18 interest on all bonds issued and sold pursuant to the 2010
19 Capital Projects General Obligation Bond Act.

20 Section 4. EXPENDITURES.--The proceeds from the sale of
21 the bonds shall be expended solely for providing money to be
22 distributed for the purposes and in amounts not to exceed the
23 amounts set forth in Section 10 of the 2010 Capital Projects
24 General Obligation Bond Act and to pay expenses incurred under
25 Section 6 of that act. Any proceeds from the sale of the bonds

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1 that are not required for the purposes set forth in Sections 6
2 and 10 of that act shall be used for the purpose of paying the
3 principal of and interest on the bonds.

4 Section 5. SALE.--The bonds authorized under the 2010
5 Capital Projects General Obligation Bond Act shall be sold by
6 the state board of finance at such time and in such manner and
7 amounts as the board may elect. The bonds may be sold at
8 private sale or at public sale, in either case at not less than
9 par plus accrued interest to the date of delivery. If sold at
10 public sale, the state board of finance shall publish a notice
11 of the time and place of sale in a newspaper of general
12 circulation in the state and may also publish the notice in a
13 recognized financial journal outside the state. The required
14 publications shall be made once each week for two consecutive
15 weeks prior to the date fixed for the sale, the last
16 publication thereof to be at least five days prior to the date
17 of the sale. The notice shall specify the amount,
18 denomination, maturity and description of the bonds to be
19 offered for sale and the place, date and hour at which the
20 sealed bids shall be received. At the time and place specified
21 in the notice, the state board of finance shall open the bids
22 in public and shall award the bonds to the bidder or bidders
23 offering the best price for the bonds. The state board of
24 finance may reject any or all bids and readvertise and may
25 waive any irregularity in a bid. All bids, except that of the

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1 state, shall be accompanied by a deposit of two percent of the
2 principal amount of the bonds in a form acceptable to the state
3 board of finance. The deposit of an unsuccessful bidder shall
4 be returned upon rejection of the bid. The state board of
5 finance may also sell the bonds or any part of the bonds to the
6 state treasurer or state investment officer. The state
7 treasurer or state investment officer is authorized to purchase
8 any of the bonds for investment. The bonds are legal
9 investments for any person or board charged with the investment
10 of any public funds and may be accepted as security for any
11 deposit of public money.

12 Section 6. EXPENSES.--The expenses incurred by the state
13 board of finance in or relating to the preparation and sale of
14 the bonds shall be paid out of the proceeds from the sale of
15 the bonds, and all rebate, penalty, interest and other
16 obligations of the state relating to the bonds and bond
17 proceeds under the Internal Revenue Code of 1986, as amended,
18 shall be paid from earnings on bond proceeds or other money of
19 the state, legally available for such payments.

20 Section 7. TAX LEVY.--To provide for the payment of the
21 principal of and interest on the bonds issued and sold pursuant
22 to the provisions of the 2010 Capital Projects General
23 Obligation Bond Act, there shall be and there is hereby imposed
24 and levied during each year in which any of the bonds are
25 outstanding an ad valorem tax on all property in the state

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1 subject to property taxation for state purposes sufficient to
2 pay the interest as it becomes due on the bonds, together with
3 an amount sufficient to provide a sinking fund to pay the
4 principal of the bonds as it becomes due and, if permitted by
5 law, ad valorem taxes may be collected to pay administrative
6 costs incident to the collection of such taxes. The taxes
7 shall be imposed, levied, assessed and collected at the times
8 and in the manner that other property taxes for state purposes
9 are imposed, levied, assessed and collected. It is the duty of
10 all tax officials and authorities to cause these taxes to be
11 imposed, levied, assessed and collected.

12 Section 8. TREASURER--DUTIES.--The state treasurer shall
13 keep separate accounts of all money collected pursuant to the
14 taxes imposed and levied pursuant to the provisions of the 2010
15 Capital Projects General Obligation Bond Act and shall use this
16 money only for the purposes of paying the principal of and
17 interest on the bonds as they become due and any expenses
18 relating thereto.

19 Section 9. IRREPEALABLE CONTRACT--AUTHORITY FOR
20 ISSUANCE.--An owner of bonds issued pursuant to the provisions
21 of the 2010 Capital Projects General Obligation Bond Act may,
22 either at law or in equity, by suit, action or mandamus,
23 enforce and compel the performance of the duties required by
24 that act of any officer or entity mentioned in that act. The
25 provisions of that act constitute an irrepealable contract with

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1 the owners of any of the bonds issued pursuant to that act for
2 the faithful performance of which the full faith and credit of
3 the state is pledged. Without reference to any other act of
4 the legislature, the 2010 Capital Projects General Obligation
5 Bond Act is full authority for the issuance and sale of the
6 bonds authorized in that act, and such bonds shall have all the
7 qualities of investment securities under the Uniform Commercial
8 Code, shall not be invalid for any irregularity or defect in
9 the proceedings for the issuance and sale of the bonds and
10 shall be incontestable in the hands of bona fide purchasers or
11 holders thereof for value. All bonds issued under the
12 provisions of that act, and the interest thereon, are exempt
13 from taxation by the state and any subdivision or public body
14 thereof.

15 Section 10. PROJECTS.--The proceeds from the sale of
16 bonds issued under the provisions of the 2010 Capital Projects
17 General Obligation Bond Act shall be distributed as follows for
18 the purposes and in the amounts specified:

19 A. for senior citizen facility improvements,
20 construction and equipment acquisition projects, to the aging
21 and long-term services department:

22 (1) three hundred seventy thousand dollars
23 (\$370,000) to plan, design, renovate and equip the Bear Canyon
24 senior center in Albuquerque in Bernalillo county;

25 (2) five hundred thousand dollars (\$500,000)

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1 to plan, design, construct, equip and furnish the Highland
2 senior center in Albuquerque in Bernalillo county;

3 (3) five hundred thirty-four thousand dollars
4 (\$534,000) to plan, design, construct, equip and furnish the
5 North Valley senior center in Albuquerque in Bernalillo county;

6 (4) one hundred thousand dollars (\$100,000) to
7 make improvements for building code compliance, including
8 purchase and installation of equipment, to the Rio Bravo meal
9 site in Bernalillo county;

10 (5) fourteen thousand dollars (\$14,000) to
11 make improvements for building code compliance, including
12 purchase and installation of equipment, to the Pueblo of Isleta
13 senior center in Bernalillo county;

14 (6) one million dollars (\$1,000,000) to plan,
15 design, construct, equip and furnish the Tijeras senior center
16 in Bernalillo county;

17 (7) fourteen thousand five hundred dollars
18 (\$14,500) to purchase and install meals equipment at Catron
19 countywide senior centers in Catron county;

20 (8) twenty-five thousand dollars (\$25,000) to
21 purchase and equip vehicles for the Quemado senior center in
22 Catron county;

23 (9) one hundred fifty thousand dollars
24 (\$150,000) to plan, design, construct, equip and furnish the
25 Hagerman senior center in Chaves county;

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1 (10) one hundred two thousand six hundred
2 dollars (\$102,600) to purchase and equip vehicles for the
3 Roswell-Hagerman senior centers in Chaves county;

4 (11) thirty-five thousand one hundred dollars
5 (\$35,100) to make improvements for building code compliance,
6 including purchase and installation of equipment, to the Grants
7 senior center in Cibola county;

8 (12) one thousand dollars (\$1,000) to purchase
9 and install meals equipment at the Grants senior center in
10 Cibola county;

11 (13) seven thousand five hundred dollars
12 (\$7,500) to plan, design, renovate and equip the Eagle Nest
13 senior center in Colfax county;

14 (14) twenty-five thousand dollars (\$25,000) to
15 make improvements for building code compliance, including
16 purchase and installation of equipment, to the Raton senior
17 center in Colfax county;

18 (15) five thousand two hundred dollars
19 (\$5,200) to purchase and install meals equipment at the Grady
20 senior center in Curry county;

21 (16) nine thousand two hundred dollars
22 (\$9,200) to purchase and install meals equipment at the Fort
23 Sumner senior center in De Baca county;

24 (17) one hundred seventy-eight thousand five
25 hundred dollars (\$178,500) to make improvements for building

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1 code compliance, including purchase and installation of
2 equipment, to the Munson senior center in Las Cruces in Dona
3 Ana county;

4 (18) seventy-five thousand dollars (\$75,000)
5 to make improvements for building code compliance, including
6 purchase and installation of equipment, to the Mesilla Park
7 senior center in Las Cruces in Dona Ana county;

8 (19) fifty thousand dollars (\$50,000) to
9 purchase and equip vehicles for the Artesia senior center in
10 Eddy county;

11 (20) seventy-eight thousand three hundred
12 dollars (\$78,300) to purchase and equip vehicles for the Eddy
13 countywide senior centers in Eddy county;

14 (21) twelve thousand four hundred dollars
15 (\$12,400) to purchase and install meals equipment at Grant
16 countywide senior centers in Grant county;

17 (22) one hundred twenty thousand dollars
18 (\$120,000) to purchase and equip vehicles for the Grant
19 countywide senior centers in Grant county;

20 (23) ten thousand dollars (\$10,000) to make
21 improvements for building code compliance, including purchase
22 and installation of equipment, to the Santa Clara senior center
23 in Grant county;

24 (24) fifty-one thousand dollars (\$51,000) to
25 plan, design, renovate and equip La Loma senior center in

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1 Guadalupe county;

2 (25) one thousand one hundred dollars (\$1,100)
3 to purchase and install meals equipment at the Eunice senior
4 center in Lea county;

5 (26) one thousand dollars (\$1,000) to purchase
6 and install meals equipment at the Hobbs senior center in Lea
7 county;

8 (27) ten thousand dollars (\$10,000) to
9 purchase and install meals equipment at the Jal senior center
10 in Lea county;

11 (28) fifty thousand dollars (\$50,000) to plan,
12 design, construct, equip and furnish the Carrizozo senior
13 center in Lincoln county;

14 (29) four thousand five hundred dollars
15 (\$4,500) to make improvements for building code compliance,
16 including purchase and installation of equipment, to the Hondo
17 Valley senior center in Lincoln county;

18 (30) eighteen thousand five hundred dollars
19 (\$18,500) to purchase and install meals equipment at Lincoln
20 countywide senior centers in Lincoln county;

21 (31) thirteen thousand five hundred dollars
22 (\$13,500) to plan, design, renovate and equip the Ruidoso
23 senior center in Lincoln county;

24 (32) eighty-nine thousand dollars (\$89,000) to
25 purchase and equip vehicles for the Los Alamos senior center in

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1 Los Alamos county;

2 (33) six thousand five hundred dollars
3 (\$6,500) to make improvements for building code compliance,
4 including purchase and installation of equipment, to the Baca
5 chapter senior center on the Navajo Nation in McKinley county;

6 (34) eighteen thousand five hundred dollars
7 (\$18,500) to purchase and install equipment at the Gallup
8 citywide senior centers in McKinley county;

9 (35) twenty-six thousand dollars (\$26,000) to
10 purchase and install meals equipment at Gallup citywide senior
11 centers in McKinley county;

12 (36) sixty-three thousand dollars (\$63,000) to
13 purchase and equip vehicles for the Gallup citywide senior
14 centers in McKinley county;

15 (37) sixty-five thousand dollars (\$65,000) to
16 make improvements for building code compliance, including
17 purchase and installation of equipment, to the Ford Canyon
18 senior center in Gallup in McKinley county;

19 (38) thirty-six thousand dollars (\$36,000) to
20 purchase and install meals equipment at the Nahodishgish
21 chapter senior center on the Navajo Nation in McKinley county;

22 (39) forty thousand dollars (\$40,000) to make
23 improvements for building code compliance, including purchase
24 and installation of equipment, to the Pinedale chapter senior
25 center on the Navajo Nation in McKinley county;

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1 (40) eighty thousand dollars (\$80,000) to make
2 improvements for building code compliance, including purchase
3 and installation of equipment, to the Tohatchi chapter senior
4 center on the Navajo Nation in McKinley county;

5 (41) three hundred thousand dollars (\$300,000)
6 to plan, design, construct, equip and furnish the Whitehorse
7 Lake chapter senior center on the Navajo Nation in McKinley
8 county;

9 (42) one hundred eighty-five thousand seven
10 hundred dollars (\$185,700) to make improvements for building
11 code compliance, including purchase and installation of
12 equipment, to the Pueblo of Zuni senior center in McKinley
13 county;

14 (43) seventeen thousand five hundred dollars
15 (\$17,500) to purchase and install meals equipment at the Mora
16 and Wagon Mound senior centers in Mora county;

17 (44) forty-two thousand dollars (\$42,000) to
18 purchase and equip vehicles for the Mescalero Apache senior
19 center in Otero county;

20 (45) seven thousand five hundred dollars
21 (\$7,500) to purchase and install equipment at the Tucumcari
22 senior center in Quay county;

23 (46) twenty-two thousand five hundred dollars
24 (\$22,500) to plan, design, renovate and equip the Tucumcari
25 senior center in Quay county;

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1 (47) five thousand three hundred dollars
2 (\$5,300) to purchase and install meals equipment at the
3 Tucumcari and House senior centers in Quay county;

4 (48) fifty-four thousand six hundred dollars
5 (\$54,600) to make improvements for building code compliance,
6 including purchase and installation of equipment, to the Chama
7 senior center in Rio Arriba county;

8 (49) ten thousand two hundred dollars
9 (\$10,200) to purchase and install meals equipment at the Chama
10 senior center in Rio Arriba county;

11 (50) nine thousand dollars (\$9,000) to make
12 improvements for building code compliance, including purchase
13 and installation of equipment, to the Espanola senior center in
14 Rio Arriba county;

15 (51) twelve thousand dollars (\$12,000) to
16 purchase and install meals equipment at the Espanola senior
17 center in Rio Arriba county;

18 (52) twenty-eight thousand dollars (\$28,000)
19 to purchase and equip vehicles for the Jicarilla Apache Nation
20 senior center in Rio Arriba county;

21 (53) twenty-five thousand dollars (\$25,000) to
22 make improvements for building code compliance, including
23 purchase and installation of equipment, to the Jicarilla Apache
24 Nation senior center in Rio Arriba county;

25 (54) one hundred twenty-eight thousand dollars

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1 (\$128,000) to plan, design, construct, equip and furnish the
2 Ohkay Owingeh senior center in Rio Arriba county;

3 (55) one hundred thirty-four thousand dollars
4 (\$134,000) to purchase and equip vehicles for the Rio Arriba
5 countywide senior centers in Rio Arriba county;

6 (56) sixty-seven thousand five hundred dollars
7 (\$67,500) to make improvements for building code compliance,
8 including purchase and installation of equipment, to the Aztec
9 senior center in San Juan county;

10 (57) fifteen thousand dollars (\$15,000) to
11 plan, design, renovate and equip the Crystal chapter senior
12 center on the Navajo Nation in San Juan county;

13 (58) ten thousand dollars (\$10,000) to make
14 improvements for building code compliance, including purchase
15 and installation of equipment, to the Huerfano chapter senior
16 center on the Navajo Nation in San Juan county;

17 (59) one thousand six hundred dollars (\$1,600)
18 to make improvements for building code compliance, including
19 purchase and installation of equipment, to the Lake Valley
20 chapter senior center on the Navajo Nation in San Juan county;

21 (60) seventy-five thousand dollars (\$75,000)
22 to make improvements for building code compliance, including
23 purchase and installation of equipment, to the Shiprock chapter
24 senior center on the Navajo Nation in San Juan county;

25 (61) fifty thousand dollars (\$50,000) to make

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1 improvements for building code compliance, including purchase
2 and installation of equipment, to the Tse'Daa'Kaan chapter
3 senior center on the Navajo Nation in San Juan county;

4 (62) ten thousand five hundred dollars
5 (\$10,500) to plan, design, renovate and equip the Corrales
6 senior center in Sandoval county;

7 (63) twenty-seven thousand five hundred
8 dollars (\$27,500) to make improvements for building code
9 compliance, including purchase and installation of equipment,
10 to the Cuba senior center in Sandoval county;

11 (64) ten thousand five hundred dollars
12 (\$10,500) to plan, design, renovate and equip the Placitas
13 senior center in Sandoval county;

14 (65) three hundred thousand dollars (\$300,000)
15 to plan, design, construct, equip and furnish the Rio Rancho
16 senior center in Sandoval county;

17 (66) eleven thousand dollars (\$11,000) to
18 purchase and install meals equipment at the Pueblo of San
19 Felipe senior center in Sandoval county;

20 (67) one hundred seventy-seven thousand
21 dollars (\$177,000) to make improvements for building code
22 compliance, including purchase and installation of equipment,
23 to the Pueblo of Sandia senior center in Sandoval county;

24 (68) three thousand dollars (\$3,000) to
25 purchase and install meals equipment at the Pueblo of Sandia

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1 senior center in Sandoval county;

2 (69) forty-two thousand dollars (\$42,000) to
3 purchase and equip vehicles for the Sandoval countywide senior
4 centers in Sandoval county;

5 (70) five thousand dollars (\$5,000) to make
6 improvements for building code compliance, including purchase
7 and installation of equipment, to the Pueblo of Santo Domingo
8 senior center in Sandoval county;

9 (71) seven thousand three hundred dollars
10 (\$7,300) to purchase and install equipment at the Pueblo of Zia
11 senior center in Sandoval county;

12 (72) two hundred seventy thousand dollars
13 (\$270,000) to make improvements for building code compliance,
14 including purchase and installation of equipment, to the Pueblo
15 of Zia senior center in Sandoval county;

16 (73) three thousand dollars (\$3,000) to
17 purchase and install meals equipment at the Pueblo of Zia
18 senior center in Sandoval county;

19 (74) sixty-five thousand dollars (\$65,000) to
20 make improvements for building code compliance, including
21 purchase and installation of equipment, to the Pueblo of Nambe
22 senior center in Santa Fe county;

23 (75) five thousand dollars (\$5,000) to
24 purchase and install meals equipment at the Pueblo of Pojoaque
25 senior center in Santa Fe county;

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1 (76) five thousand dollars (\$5,000) to make
2 improvements for building code compliance, including purchase
3 and installation of equipment, to the Pueblo of Pojoaque senior
4 center in Santa Fe county;

5 (77) forty-two thousand dollars (\$42,000) to
6 purchase and equip vehicles for the Pueblo of San Ildefonso
7 senior center in Santa Fe county;

8 (78) four thousand two hundred dollars
9 (\$4,200) to make improvements for building code compliance,
10 including purchase and installation of equipment, to the Pueblo
11 of San Ildefonso senior center in Santa Fe county;

12 (79) two thousand five hundred dollars
13 (\$2,500) to purchase and install meals equipment at the Pueblo
14 of San Ildefonso senior center in Santa Fe county;

15 (80) seventy-three thousand dollars (\$73,000)
16 to plan, design, renovate and equip the Mary Esther Gonzales
17 senior center in Santa Fe in Santa Fe county;

18 (81) one hundred twenty-six thousand dollars
19 (\$126,000) to purchase and equip vehicles for the Sierra joint
20 office of aging in Sierra county;

21 (82) ten thousand three hundred dollars
22 (\$10,300) to purchase and install meals equipment at the Truth
23 or Consequences senior center in Sierra county;

24 (83) two hundred thousand dollars (\$200,000)
25 to plan, design, construct, equip and furnish the Alamo chapter

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1 senior center on the Navajo Nation in Socorro county;

2 (84) thirty-seven thousand five hundred
3 dollars (\$37,500) to make improvements for building code
4 compliance, including purchase and installation of equipment,
5 to the Socorro senior center in Socorro county;

6 (85) twenty-six thousand dollars (\$26,000) to
7 purchase and install meals equipment at the Socorro senior
8 center in Socorro county;

9 (86) two thousand dollars (\$2,000) to purchase
10 and install equipment at the Pueblo of Picuris senior center in
11 Taos county;

12 (87) fifteen thousand dollars (\$15,000) to
13 purchase and equip vehicles for the Pueblo of Picuris senior
14 center in Taos county;

15 (88) five hundred thousand dollars (\$500,000)
16 to plan, design, construct, equip and furnish the Pueblo of
17 Taos senior center in Taos county;

18 (89) twenty-five thousand three hundred
19 dollars (\$25,300) to purchase and install meals equipment at
20 the Pueblo of Taos senior center in Taos county;

21 (90) one hundred eighty thousand dollars
22 (\$180,000) to make improvements for building code compliance,
23 including purchase and installation of equipment, to the
24 Clayton senior center in Union county;

25 (91) seven thousand dollars (\$7,000) to

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1 purchase and install meals equipment at the Clayton senior
2 center in Union county;

3 (92) sixteen thousand one hundred dollars
4 (\$16,100) to make improvements for building code compliance,
5 including purchase and installation of equipment, to the Des
6 Moines senior center in Union county; and

7 (93) three hundred thousand dollars (\$300,000)
8 to plan, design, construct, equip and furnish the Belen senior
9 center in Valencia county;

10 B. for library acquisitions and capital
11 improvements at public libraries, public school libraries,
12 academic libraries and tribal libraries statewide:

13 (1) to the cultural affairs department:

14 (a) two million dollars (\$2,000,000) to
15 acquire library books, equipment and library resources for
16 public libraries statewide; and

17 (b) one million dollars (\$1,000,000) for
18 supplemental library resource acquisitions, including books and
19 equipment and planning, designing and constructing capital
20 improvements, at library facilities for tribal libraries
21 statewide;

22 (2) to the higher education department, two
23 million dollars (\$2,000,000) to acquire library books,
24 equipment and library resources for academic libraries
25 statewide; and

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1 (3) to the public education department, two
2 million dollars (\$2,000,000) to acquire library books,
3 equipment and library resources for public school libraries
4 statewide;

5 C. for public school facility improvements
6 acquisitions and bus acquisitions, to the public education
7 department:

8 (1) two million dollars (\$2,000,000) for
9 renovation and construction of pre-kindergarten classrooms and
10 facilities at public schools statewide; and

11 (2) three million dollars (\$3,000,000) to
12 purchase school buses statewide; and

13 D. for capital improvements at institutions of
14 higher education and special schools statewide:

15 (1) to the board of regents of eastern New
16 Mexico university:

17 (a) four million dollars (\$4,000,000) to
18 construct and improve the physical plant complex, including
19 purchasing and installing a modular building, at the Roswell
20 branch campus of eastern New Mexico university in Chaves
21 county;

22 (b) five hundred thousand dollars
23 (\$500,000) for renovations and infrastructure improvements,
24 including improvements for energy efficiency and campus safety,
25 at the Ruidoso branch campus of eastern New Mexico university

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1 in Lincoln county; and

2 (c) seven million dollars (\$7,000,000)
3 for renovations and infrastructure improvements, including the
4 razing of closed facilities, at eastern New Mexico university
5 in Portales in Roosevelt county;

6 (2) to the higher education department:

7 (a) sixteen million dollars (\$16,000,000) to
8 renovate Jeanette Stromberg hall at central New Mexico community
9 college in Albuquerque in Bernalillo county;

10 (b) one million dollars (\$1,000,000) to
11 renovate the former allied health facilities for use as computer
12 labs and classrooms at Clovis community college in Clovis in Curry
13 county;

14 (c) two million dollars (\$2,000,000) to
15 plan, design and construct a facility for the renewable energy
16 program and to purchase and install equipment for the school of
17 trades and technology at San Juan college in San Juan county;

18 (d) five million dollars (\$5,000,000) to
19 renovate the vocational education complex at Luna community
20 college in Las Vegas in San Miguel county; and

21 (e) one million dollars (\$1,000,000) for
22 infrastructure improvements at Santa Fe community college in Santa
23 Fe county;

24 (3) to the board of regents of New Mexico
25 highlands university, seven million one hundred thousand dollars

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1 (\$7,100,000) to plan, design, renovate, construct, improve the
2 site, furnish and equip the historic Trolley building at New
3 Mexico highlands university in Las Vegas in San Miguel county;

4 (4) to the board of regents of the New Mexico
5 military institute, five million dollars (\$5,000,000) for
6 renovations, including improvements related to code compliance, at
7 Lusk hall at New Mexico military institute in Roswell in Chaves
8 county;

9 (5) to the board of regents of New Mexico
10 institute of mining and technology, twelve million dollars
11 (\$12,000,000) to plan, design, construct, equip and furnish phase
12 1 of the geology facility at New Mexico institute of mining and
13 technology in Socorro in Socorro county;

14 (6) to the board of regents of New Mexico state
15 university:

16 (a) one million seven hundred fifty thousand
17 dollars (\$1,750,000) for infrastructure renovation and
18 improvements, including roof repairs, safety, classrooms, labs,
19 heating and drainage, at the Grants branch campus of New Mexico
20 state university in Cibola county;

21 (b) eighteen million dollars (\$18,000,000)
22 to plan, design, construct, conduct necessary demolition,
23 renovate, furnish, expand and equip the Hershel Zohn theater and
24 Branson library to house the institute for public policy at New
25 Mexico state university in Las Cruces in Dona Ana county;

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1 (c) five million six hundred fifty thousand
2 dollars (\$5,650,000) to plan, design, construct, equip and furnish
3 an addition to the Gadsden center at the Dona Ana community
4 college branch of New Mexico state university in Dona Ana county;

5 (d) one million two hundred fifty thousand
6 dollars (\$1,250,000) for infrastructure renovation, including
7 improvements to the heating, ventilation and air conditioning
8 systems, classrooms, energy management systems, hot water systems
9 and transportation and parking, at the Carlsbad branch campus of
10 New Mexico state university in Eddy county; and

11 (e) one million seven hundred fifty thousand
12 dollars (\$1,750,000) for infrastructure renovation, including
13 improvements to energy management and lighting systems and
14 restroom upgrades to comply with the Americans with Disabilities
15 Act of 1990, at the Alamogordo branch campus of New Mexico state
16 university in Otero county;

17 (7) to the board of regents of northern New
18 Mexico state school, five million dollars (\$5,000,000) to
19 construct and equip the Serpa program building for a solar
20 engineering and research park and academy at northern New Mexico
21 state school in Espanola in Rio Arriba county;

22 (8) to the board of regents of the New Mexico
23 school for the blind and visually impaired, three million five
24 hundred thousand dollars (\$3,500,000) for renovating Watkins
25 education center and to coordinate with the public school

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1 facilities authority for other infrastructure improvements to
2 address critical deficiencies and to comply with the Americans
3 with Disabilities Act of 1990 at the New Mexico school for the
4 blind and visually impaired in Alamogordo in Otero county;

5 (9) to the board of regents of the New Mexico
6 school for the deaf, three million dollars (\$3,000,000) to
7 coordinate with the public school facilities authority for
8 improvements, including fire suppression and improvements to
9 comply with the Americans with Disabilities Act of 1990, and other
10 renovations to address critical deficiencies at the New Mexico
11 school for the deaf in Santa Fe in Santa Fe county;

12 (10) to the board of regents of the university of
13 New Mexico:

14 (a) three million eight hundred thousand
15 dollars (\$3,800,000) to demolish, renovate, expand, construct,
16 equip and furnish the biology building at the university of New
17 Mexico in Albuquerque in Bernalillo county;

18 (b) twelve million dollars (\$12,000,000) to
19 demolish the old facility and construct the outpatient services
20 building at the Carrie Tingley hospital at the university of New
21 Mexico's health sciences center in Albuquerque in Bernalillo
22 county;

23 (c) ten million dollars (\$10,000,000) to
24 plan, design, construct, equip and furnish Reibsoner hall, the
25 chemistry building, at the university of New Mexico in Albuquerque

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1 in Bernalillo county;

2 (d) four million dollars (\$4,000,000) to
3 plan, design, construct and equip a collaborative teaching and
4 learning building, including demolition of the old facility, for
5 the college of education at the university of New Mexico in
6 Albuquerque in Bernalillo county;

7 (e) ten million dollars (\$10,000,000) to
8 plan, design, construct, renovate, equip and furnish the health
9 science education interdisciplinary building at the university of
10 New Mexico in Albuquerque in Bernalillo county;

11 (f) seven hundred fifty thousand dollars
12 (\$750,000) to renovate and equip labs, classrooms and storage
13 space at the science labs at the Los Alamos branch campus of the
14 university of New Mexico in Los Alamos county;

15 (g) one million four hundred thousand
16 dollars (\$1,400,000) to construct and make improvements to the
17 Zollinger library, including completing the lower level shell
18 space, at the Gallup branch campus of the university of New Mexico
19 in McKinley county; and

20 (h) two million dollars (\$2,000,000) to
21 plan, design, construct, equip and furnish phase 1 of the research
22 center and learning library at the Taos branch campus of the
23 university of New Mexico in Taos county;

24 (11) to the board of regents of western New
25 Mexico university, five million five hundred thousand dollars

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1 (\$5,500,000) for infrastructure renovations and improvements,
2 including renovating the McCray arts building, at western New
3 Mexico university in Silver City in Grant county; and

4 (12) to the Indian affairs department:

5 (a) one million two hundred fifty thousand
6 dollars (\$1,250,000) for improvements and security enhancements at
7 southwestern Indian polytechnic institute in Albuquerque in
8 Bernalillo county;

9 (b) three million dollars (\$3,000,000) to
10 plan, design and construct a regional wellness center for the
11 Santa Fe Indian school in Santa Fe in Santa Fe county; and

12 (c) one million dollars (\$1,000,000) to
13 plan, design and construct the science technology and sculpture
14 foundry buildings at the institute of American Indian arts in
15 Santa Fe county.

16 Section 11. ELECTION.--

17 A. Bonds issued pursuant to the 2010 Capital Projects
18 General Obligation Bond Act shall be submitted to the registered
19 voters of the state at the general election to be held in November
20 2010, and, if they receive a majority of all the votes cast
21 thereon at such election, shall take effect upon certification of
22 the state canvassing board announcing the results of such
23 election. No bonds shall be issued or sold under that act until
24 the registered voters of this state have voted upon and approved
25 the bonds and property tax as provided in this section. Any bonds

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1 issued under that act shall be issued within thirty months from
2 the date of such election.

3 B. The ballots used at the 2010 general election shall
4 contain substantially the following language:

5 (1) "The 2010 Capital Projects General Obligation
6 Bond Act authorizes the issuance and sale of senior citizen
7 facility improvement, construction and equipment acquisition
8 bonds. Shall the state be authorized to issue general obligation
9 bonds in an amount not to exceed seven million seven hundred
10 ninety thousand three hundred twenty dollars (\$7,790,320) to make
11 capital expenditures for certain senior citizen facility
12 improvements, construction and equipment acquisition projects and
13 provide for a general property tax imposition and levy for the
14 payment of principal of, interest on and expenses incurred in
15 connection with the issuance of the bonds and the collection of
16 the tax as permitted by law?

17 For _____ Against _____";

18 (2) "The 2010 Capital Projects General Obligation
19 Bond Act authorizes the issuance and sale of library acquisition
20 and construction bonds. Shall the state be authorized to issue
21 general obligation bonds in an amount not to exceed seven million
22 eighty-two thousand one hundred ten dollars (\$7,082,110) to make
23 capital expenditures for academic, public school, tribal and
24 public library acquisitions and provide for a general property tax
25 imposition and levy for the payment of principal of, interest on

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1 and expenses incurred in connection with the issuance of the bonds
2 and the collection of the tax as permitted by law?

3 For _____ Against _____";

4 (3) "The 2010 Capital Projects General Obligation
5 Bond Act authorizes the issuance and sale of public school
6 facility improvement and public school bus acquisition bonds.

7 Shall the state be authorized to issue general obligation bonds in
8 an amount not to exceed five million one hundred thousand dollars
9 (\$5,100,000) to make capital expenditures for pre-kindergarten
10 classrooms and facilities at public schools and for public school
11 buses and provide for a general property tax imposition and levy
12 for the payment of principal of, interest on and expenses incurred
13 in connection with the issuance of the bonds and the collection of
14 the tax as permitted by law?

15 For _____ Against _____"; and

16 (4) "The 2010 Capital Projects General Obligation
17 Bond Act authorizes the issuance and sale of higher educational
18 and special schools capital improvement and acquisition bonds.

19 Shall the state be authorized to issue general obligation bonds in
20 an amount not to exceed one hundred fifty-five million five
21 hundred sixty-seven thousand eight hundred twenty-four dollars
22 (\$155,567,824) to make capital expenditures for certain higher
23 educational and special schools capital improvements and
24 acquisitions and provide for a general property tax imposition and
25 levy for the payment of principal of, interest on and expenses

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1 incurred in connection with the issuance of the bonds and the
2 collection of the tax as permitted by law?

3 For _____ Against _____".

4 C. Each question set forth in this section includes a
5 specific work or object to be financed by the bonds. If any such
6 question is not approved by a majority vote of the electorate at
7 the state's 2010 general election, the issuance of bonds for the
8 work or object specified by the question shall be excluded from
9 and shall not be part of the 2010 Capital Projects General
10 Obligation Bond Act. The failure of a question to be approved by
11 the electorate at the 2010 general election shall not affect those
12 questions that are approved at the election.

13 D. The secretary of state shall include the submission
14 of the capital projects general obligation bonds to the people at
15 the 2010 general election, and it shall be included in the general
16 election proclamation of each of the county clerks. The secretary
17 of state shall cause the 2010 Capital Projects General Obligation
18 Bond Act to be published in full in at least one newspaper in each
19 county of the state if one be published therein, once each week,
20 for four successive weeks next preceding the general election as
21 required by the constitution of New Mexico.

22 Section 12. ART IN PUBLIC PLACES.--Pursuant to Section
23 13-4A-4 NMSA 1978 and where applicable, the appropriations
24 authorized in the 2010 Capital Projects General Obligation Bond
25 Act include money for the art in public places fund.

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1 Section 13. PROJECT SCOPE--EXPENDITURES--REVERSION.--

2 A. If an appropriation for a project authorized in the
3 2010 Capital Projects General Obligation Bond Act is not
4 sufficient to complete all the purposes specified, the
5 appropriation may be expended for any portion of the purposes
6 specified in the appropriation. Expenditures shall not be made
7 for purposes other than those specified in the appropriation.

8 B. The state agencies and state institutions to which
9 money has been appropriated in the 2010 Capital Projects General
10 Obligation Bond Act shall be responsible for monitoring the
11 projects funded in that act to ensure compliance with the
12 constitution and laws of New Mexico and shall cause to be reverted
13 any unexpended or unencumbered balance remaining at the earlier of
14 the third full fiscal year after issuance of the bonds or the
15 termination or completion of the specific project. Reverted funds
16 shall be deposited in the debt service fund established by the
17 state treasurer for the purpose of paying the principal of and
18 interest on the state's general obligation bonds.

19 Section 14. SEVERABILITY.--If any part or application of the
20 2010 Capital Projects General Obligation Bond Act is held invalid,
21 the remainder or its application to other situations or persons
22 shall not be affected.

23 Section 15. EMERGENCY.--It is necessary for the public
24 peace, health and safety that this act take effect immediately.

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